IN THE UNITED STATES PATENT AND TRADEMARK POFRICE

In re Patent Application of HANS ULRICH STILZ, et al.

Serial No. 08/971,960

Group Art Unit: 161

Filed: November 17, 1997 Exami:

Examiner: S. Qazi

For: 5-MEMBEREI

5-MEMBERED RING HETEROCYCLES AS INHIBITORS OF LEUCOCYTE ADHESION AND AS VLA-4 ANTAGONISTS

UNDER 37 CFR 1.56

RECEIVED

Assistant Commissioner for Patents Washington, D.C. 20231

MAR 1 0 1999

Sir:

MATHREE XYDERER SERVICE CENTER

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a <u>prima facie</u> prior art reference against the claims of the present application.

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CONCISE EXPLANATION OF RELEVANCE OF EACH DOCUMENT

The foregoing documents came to Applicants' attention during a search of the corresponding European application. A copy of the European search report setting forth the portion of each reference considered relevant by the examiner is attached.

The U.S. patent listed below corresponds to the following foreign patent application which was cited in the specification as follows:

<u>U.S.</u>

Foreign

5,424,293

EP 0 580 008 A2

Documents WO 95 14008 A and WO 95 15973 A were previously disclosed in an Information Disclosure Statement submitted for the Examiner's consideration on April 9, 1998.

STATEMENT

The undersigned hereby certifies in accordance with 37 CFR 1.97(e) (1) that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement.

Applicants respectfully request that the listed documents be considered by the Examiner and formally be made of record in the present application and that an

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initialled copy of Form PTO-1449 be returned in accordance with MPEP §609.

Respectfully submitted,

March 5, 1999

Stephen B. Maebius Reg. No. 35,264

FOLEY & LARDNER 3000 K Street, N.W. Suite 500 Washington, D.C. 20007-5109 Tel: (202) 672-5300